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INFO RUEHOO/CHINA POSTS COLLECTIVE IMMEDIATE

RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

RUEHZO/AFRICAN UNION COLLECTIVE IMMEDIATE

RUCNFUR/DARFUR COLLECTIVE IMMEDIATE

RUEHKKH/AMEMBASSY KHARTOUM IMMEDIATE 0226

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RUEAIIA/CIA WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 BEIJING 003701

SIPDIS

DEPT FOR AF A/S FRAZER, S/E WILLIAMSON, AF/SPG

NSC FOR PITTMAN AND HUDSON

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TAGS: [PGOV](#) [PREL](#) [UNSC](#) [SU](#) [CM](#)

SUBJECT: SUDAN: PRC MFA SUPPORTS POSTPONING ICC PROCEEDINGS
AGAINST BASHIR

Classified By: Political Minister Counselor Aubrey Carlson. Reasons 1.
4 (b/d).

1. (C) SUMMARY: China predicts "disastrous results" if the International Criminal Court (ICC) issues an arrest warrant for Sudanese President Bashir and urges the United States to support a suspension of ICC proceedings against Bashir, MFA West Asian and North African Department Sudan Office Director Feng Biao told PolOff September 23. During his recent visit to Sudan, Assistant Foreign Minister Zhai Jun urged Sudanese officials to remain "cool-headed" about the ICC indictment, according to Feng. Feng insisted that only a small percentage of weapons sold to Sudan come from China and that Sudan "guarantees the end-user agreements." In a September 5 meeting, a Chinese academic expert on Africa told PolOff that the ICC indictment could lead to a breakdown of the fragile Comprehensive Peace Agreement (CPA). She predicted China will not take the lead in pushing the UN Security Council (UNSC) to suspend the indictment. END SUMMARY.

2. (C) MFA West Asian and North African Department Sudan Office Director Feng Biao briefed PolOff on September 23 on AFM Zhai Jun's recent visit to Sudan. PolOff also discussed Sudan with Chinese Academy of Social Sciences (CASS) African Studies Division Director He Wenping on September 5.

ICC Indictment of Bashir

3. (C) MFA's Feng said one of AFM Zhai Jun's main goals during his August 29-September 1 visit to Sudan was to discuss the ICC indictment of President Bashir. In meetings with Sudanese officials, including President Bashir and Presidential Advisor Nafie Ali Nafie, AFM Zhai counseled Sudanese officials to remain "calm and cool-headed" about the threatened ICC arrest warrant and urged continued cooperation with the international community to solve the Darfur issue. Based on AFM Zhai's conversations, Feng predicted "disastrous results" if the ICC issues an arrest warrant for President Bashir. Feng said an ICC arrest warrant could hurt UAMID operations, set back implementation of the CPA and lead the Sudanese Government to refuse to cooperate with the ICC, halt cooperation with the UN and cancel general elections scheduled for 2009. An indictment might even lead to a situation like in the 1990s, when civil war raged and the Sudanese Government refused to cooperate with the outside world. Feng argued that in any case an arrest warrant would be pointless because the ICC cannot arrest President Bashir, who would avoid traveling to other countries. For these reasons, China urged the United States to support a UNSC resolution suspending the ICC indictment. In response,

PolOff said that the United States has not yet decided whether or not to support such a resolution and that we hope to see tangible progress on the ground in Darfur.

14. (C) CASS's He Wenping echoed the view of the MFA, calling the ICC indictment "ridiculous" and predicting that it could lead to a breakdown in the fragile peace agreement between North and South Sudan. However, she argued that China will not take the lead in pushing the UNSC to suspend the indictment because doing so would give "anti-China forces" and human rights activists an excuse to criticize China. Rather, China will continue to use "quiet diplomacy" to pressure Sudan.

Chinese Arms Sales to Sudan

15. (C) Feng said only a small percentage of weapons sold to Sudan come from China. He said media reports that Chinese weapons are fueling the conflict in Darfur are "ridiculous" and those who make such accusations "have ulterior motives." Although he acknowledged that China "cannot guarantee 100 percent" that its weapons are not going to Darfur, he stressed that China always requires end-user agreements and that Sudan has "given guarantees that they honor those agreements." CASS's He Wenping claimed that China's weapons sales to Sudan constituted only eight percent of Sudanese weapons purchases in 2007. She acknowledged, however the lack of transparency in Chinese arms sales and the possibility that some Chinese weapons could have been sold to Sudan by third parties.

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Rebels Mostly to Blame

16. (C) MFA's Feng said the Sudanese Government is willing to negotiate with rebel groups in Darfur and blamed the lack of progress in Darfur on the rebel groups' unwillingness to negotiate. He pointed to President Bashir's recently announced "Sudan People's Initiative" as a sign of the Sudanese Government's commitment to making progress in Darfur.

Slow Deployment of UNAMID

17. (C) Feng expressed disappointment about the slow deployment of the UNAMID forces, but argued that the "primary responsibility lies with UN, not the Sudanese Government." He reported that 315 Chinese military engineers deployed to Sudan have not encountered any major problems in Sudan.

Upcoming Visits

18. (C) Feng said that the MFA looks forward to discussing Sudan with U.S. officials at the upcoming U.S.-China Sub-dialogue on Africa. He reported that Ambassador Liu Guijin, the Chinese Government's Special Representative on Darfur, will visit Washington October 20 and would like to meet with Special Envoy Williamson.

RANDT